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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - MA&UD Department - Allegations for allowing the unauthorized constructions of six (6) Buildings and violation of Building Rules by certain builders in Srikakulam Municipality - Disciplinary action initiated against Sri S.Govinda Swamy, the then Municipal Commissioner (retired) of Srikakulam Municipal Corporation – Charges framed - Enquiry conducted - Report along with Disagreement factors communicated - Imposing a penalty of "5% cut in pension for a period of one (1) year" – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT DEPARTMENT

G.O.Rt.No.25 **Dated.18.01.2022.**

Read the following:

1) From the D.G., G.A. (V&E) Department, Vigilance Report No.69 (1147-1/ V&E/D1/2005), dated.28.05.2007.
2) G.O.Rt.No.174, MA&UD (E1) Department, dated.04.02.2008.
3) G.O.Rt.No.536, MA&UD (Vig.I) Department, dated.21.05.2018.
4) G.O.Rt.No.537, MA&UD (Vig.I) Department, dated.21.05.2018.
5) Enquiry Report from Sri Y.P.Ranganayakulu, RDDTP & Enquiry Officer, Visakhapatnam, Lr.Roc.No.168/2018/V1, dated.17.07.2019.
6) Govt.Memo.No.16545/Vig.I/2007, dated.16.10.2020.
7) Written Representation of Sri S.Govinda Swamy, the then M.C. (retired), dated.21.11.2020.
8) Govt.Memo.No.16545/Vig.I/2007, dated.24.06.2021.
9) Written Representation from Sri S.Givinda Swamy, the then M.C. (retired), dated.16.08.2021 received through the C&DMA., A.P., Guntur, Letter, Roc.No.1492318/2018/C3, dated.27.09.2021.
10) Govt. Letter No.16545/Vig.I/2007, dated.12.10.2021.
11) From the APPSC, AP, Vijayawada, Lr.No.505/DC&C/2021, dt.01.12.2021.

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Whereas, it has been brought to the notice of the Government by the Director General, G.A. (V&E) Department that, certain allegations were leveled against Sri S.Govinda Swamy, the then Municipal Commissioner (retired) and two (2) other officials of Srikakulam Municipality regarding allegations of allowing the unauthorized constructions of six (6) Buildings and violation of Building Rules and approved plans by certain builders in Srikakulam Municipality. In the reference 1st read above, the Director General, G.A. (V&E) Department recommended to initiate disciplinary action against Sri S.Govinda Swamy, the then Municipal Commissioner (retired) and two (2) other officials of Srikakulam Municipality.

2. Whereas, in the reference 2nd read above, among others, Government initiated departmental proceedings by issuing articles of charges against Sri S.Govinda Swamy, the then Municipal Commissioner (retired), Srikakulam Municipality with a direction to submit his Written Statement of Defence thereon.

(P.T.O.)

3. Whereas, in the reference 3rd read above, Government appointed Sri Y.P.Ranganayakulu, Regional Deputy Director of Town & Country Planning, Visakhapatnam as an Enquiry Officer to inquire into the charges framed against Sri S.Govinda Swamy, the then M.C. (retired) and two (2) others of Srikakulam.

4. In the reference 5th read above, the Enquiry Officer Sri Y.P.Ranganayakulu, RDDTP., Visakhapatnam has submitted Enquiry Report and reported that, the buildings which are constructed in violation of rules were regularized subsequently in the BPS/BRS introduced in the year 2006 & 2010 respectively and therefore requested to take a lenient view, while finalizing the disciplinary action against the Charged Officers.

5. Govt. have examined the enquiry report and disagreed with the findings of the enquiry officer. Accordingly, in the reference 6th read above, while communicating a copy of enquiry report along with disagreement factors under Rule 21 (2) of APCS (CC&A) Rules, 1991, all the three charged officers including Sri S.Govinda Swamy, the then Municipal Commissioner (retired), Srikakulam Municipality were directed to submit their written representations, if any, on the findings of Enquiry Report of the Enquiry Officer. In reply, the charged officer Sri S.Govinda Swamy, the then Municipal Commissioner (retired), Srikakulam Municipality submitted his written explanation and among others, requested to drop further action against him vide reference 7th read above.

6. Government after careful examination of the matter and keeping in view of the findings of enquiry report, disagreement factors and written representation, it has been provisionally decided to impose a penalty of "5% cut in pension for a period of one year" against Sri S.Govinda Swamy, the then Municipal Commissioner (retired) for his dereliction of duties and failure to control the Un-authorized constructions and issued a show cause notice, calling for explanations as to why the said penalty cannot be imposed against him under Rule-9 of A.P. Revised Pension Rules, 1980, vide reference 8th read above. In reply, Sri S.Govinda Swamy, the then Municipal Commissioner (retired) has submitted written explanation and requested to drop further action vide reference 9th read above.

7. Government have examined the written representation of the Charged Officer; keeping in view the Inquiry Report and found that there are no new grounds put forth by the Charged Officer. After careful examination of the matter and after following due procedure, it has been provisionally decided to impose a penalty of "5% cut in pension for a period of one (1) year" against Sri S.Govinda Swamy, the then M.C. (retired).

8. In the reference 10th read above, the Secretary, A.P. Public Service Commission, Vijayawada was requested to convey the concurrence of the Commission to the Government's Proposal.

9. In the reference 11th read above, the Secretary, A.P. Public Service Commission, Vijayawada has informed that, Commission agrees with the proposals of the Government, to impose a penalty of "5% cut in pension for a period of one (1) year" against Sri S.Govinda Swamy, the then Municipal Commissioner (retired), Srikakulam Municipality and advised accordingly.

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10. Government after careful and detailed examination of the matter, have decided to impose a penalty of "5% cut in pension for a period of one (1) year" against Sri S.Govinda Swamy, the then M.C. (retired), Srikakulam Municipality, under Rule 9 of A.P. Revised Pension Rules, 1980.

11. Accordingly, Government hereby impose a penalty of "5% cut in pension for a period of one (1) year" against Sri S. Govinda Swamy, the then Municipal Commissioner (retired), Srikakulam Municipality, under Rule-9 of A.P. Revised Pension Rules, 1980.

12. The Commissioner & Director of Municipal Administration, A.P., Guntur shall take necessary further action in the matter accordingly.

13. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y.SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri S.Govinda Swamy, the then Municipal Commissioner (retired),
Srikakulam Municipality - **through** the C&DMA., A.P., Guntur.
The Commissioner & Director of Municipal Administration, A.P., Guntur.

Copy to:
The Director General, G.A. (V&E) Department, A.P., Vijayawada.
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi.
The Secretary, A.P. Public Service Commission, A.P., Vijayawada.
The Municipal Commissioner, Srikakulam Municipality, Srikakulam District.
The Accountant General (A&E), A.P., Hyderabad.
The Principal Accountant General (A&E), A.P., Vijayawada.
The Pay and Accounts Officer, Ibrahimpatnam, A.P., Krishna District
SF/SC (E.No.446866).

// FORWARDED :: BY ORDER //

SECTION OFFICER.